



THE

AFCON

SENTINEL



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A Quarterly of the Academic Freedom Coalition of Nebraska

March 18, 2011

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Purpose:

To promote academic freedom, defined as intellectual freedom in educational and research contexts. This includes freedoms of belief and expression and access to information and ideas.

MESSAGE FROM THE PRESIDENT—Rod Wagner

Seeking a More Responsible Civic Involvement

Arizona has gained notoriety over many years and for many reasons, and especially so in recent times. Arizona's controversial legislative initiative to challenge the legal status of residents is notable. More recent is the Tucson tragedy that left Congresswoman Gabrielle Giffords and others severely wounded, and some dead. The controversial immigration law and the violence involving use of a sub-automatic gun are not tied apart from the emotions raised and the sharp and often contrasting opinions about laws, policies, and events.

An outcome of the Tucson shooting is a call for a lowering of the harsh rhetoric directed at people and groups and their opposing views. The shooting had nothing to do with speech. It was the result of an act by a mentally disturbed person. However, it does seem that there is a growing desire for a more civil environment to air and consider differences on a range of issues. Some contend that extreme speech sparks violent actions and that a more civil discourse is needed. Others contend that civility is the new censorship. Civility

is not censorship. It doesn't discourage disagreement. It discourages the manner of disagreement that is disrespectful and destructive.

The Academic Freedom Coalition of Nebraska (AFCON) promotes and defends the freedom to express personal views and the opportunity to read or hear the views of others. Freedom of expression also bears the expectation that expression is civil and responsible. Those principles are included in this year's "Student Expression Act" contained within LB582 introduced by Senator Ken Haar (Lincoln). The Act is a statement setting forth principles for expression within school settings with rights and responsibilities for students, teachers, administrators and school boards. Another legislative proposal, LB544 introduced by Senator Pahls (Omaha), promotes civics education in schools as fundamental to learning and effective citizenship. We applaud Senator Haar and Senator Pahls for their leadership and recognition of the rights and responsibilities of civic participation in school settings and in our communities.

(See **THE PRESIDENT**, Page 2)

Upcoming Events

AFCON Board Meetings, **April 9, May 14, and June 11, 2011**
Loren Eiseley Library, 1530 Superior, Lincoln, Nebraska; 10 AM

THE PRESIDENT

It is possible to participate in discussions of controversial issues in a constructive and civil manner. There are organizations that are dedicated to promoting productive and effective public policy conversations. One that I've been involved with is the Kettering Foundation and its National Issues Forums (NIF). The Kettering Foundation is an Ohio based organization dedicated to "making democracy work." The Foundation sponsors and supports a range of civic education initiatives and programs. The National Issues Forums

are based on a long established and effective approach to exploring subjects from different perspectives. The NIF model is designed to explore and find common ground among participants, or at least achieve a better understanding and appreciation for other participant viewpoints. The framing of issues, contrasting policy choices, and moderated forums, allow for thoughtful conversation and learning.

The Public Conversations Project is another organization with experience and success in promoting involvement and con-

structive dialogue on a range of prominent public issues.

Academic Freedom is a right and a responsibility. We uphold the right of each and everyone to express her or his views no matter how extreme or objectionable. Let us all exercise that right in a respectful and constructive manner.

AFCON has ambitious plans for promoting expression rights, civic education and involvement. Join us in seeking a more constructive and effective approach to citizen involvement.

Summaries of AFCON Board of Directors' Meetings—Peggy Adair

AFCON Board--January 8, 2011

Present: Peggy Adair, Dwayne Ball, Nancy Comer, Frank Edler, Bob Haller, Laurie Thomas Lee, Lora Leibrandt, Cathi McMurtry, Dave Moshman, Linda Parker.

MINUTES: Minutes of the AFCON board meeting held on October 9, 2010 were approved upon a motion by Ball and second by Edler. Minutes of the November 6, 2010 AFCON board meeting were approved upon a motion by Moshman and "okay" by Ball. Motions carried by voice vote.

TREASURER'S REPORT: The Treasurer's report dated January 7, 2011 was reviewed and filed for audit. Balance on hand as of January 7, 2011 was \$4,036.15.

SENTINEL: Articles for the AFCON *Sentinel* should be sent to Tom Black by **February 21, 2011**. The next issue of the *Sentinel* will be available on March 19, 2011.

LEGISLATIVE REPORT: Adair reported she has been in contact with Senator Haar's legislative aide, Tom Green, and Senator Haar will be introducing a new version of the Student Expression Act in this legislative session. Adair will contact the AFCON board when the bill is introduced.

Adair also reported a bill of interest to AFCON, LB 143, requires contracts of employment for senior educational administrators to be filed with the accountability and disclosure commission. The contracts shall include salary and benefits, including the amount and source of benefits.

MEMBERSHIP: The AFCON Board requests that AFCON representatives look at their union contracts to find the language in those contracts that protects the academic freedom of educators at all levels, from elementary schools through post-secondary schools. Representatives are asked to forward the academic freedom references to Linda Parker at lparkerlib@gmail.com. This information will be used to get a better idea of the status of academic freedom protections in Nebraska.

The AFCON Board continues to examine ways to encourage more active involvement of elementary and secondary educators. After much excellent and lively discussion the Board decided upon three actions to engage the target audience:

- Bob Haller will continue to develop a relationship between AFCON and The Civics Education Advisory Committee, to encourage more emphasis on civics education in the schools.
- AFCON Board members will assure

that every issue of the *Sentinel* in 2011 will include an article on the need for and value of civics education. Adair volunteered to write an article for the March issue of the *Sentinel*.

AFCON will continue to email the *Sentinel* to inactive members and past members of AFCON, to keep them in the loop and to encourage their support.

KURZ FOUNDATION GRANT: Adair reviewed parameters of the Kurz Foundation Grant for the board. AFCON will need to file an annual report on grant activity at the end of the fiscal year.

ANNUAL MEETING REVIEW: Adair suggested it would be useful for the Board to develop a public relations template to assist in achieving timely and thorough media coverage before and during the annual meeting. Parker suggested the Board use the annual meeting as a source for member recruitment.

AFCON GOALS FOR 2011: Several board members suggested AFCON should focus in 2011 on emphasizing the need for and value of civics education as it applies to academic freedom.

NEXT MEETING: The next meeting of the **AFCON BOARD OF DIRECTORS will be February 12.**

(See *Minutes*, page 3)

Summaries of AFCON Board of Directors' Meetings

(Continued from Page 2)

AFCON Board—February 12, 2011

Present: Peggy Adair, Dwayne Ball, Robert Brooke, Nancy Comer, Frank Edler, Bob Haller, Laurie Thomas Lee, Lora Leibrandt, Cathi McMurtry, David Moshman, Linda Parker, Rod Wagner

MINUTES: Minutes of the AFCON board meeting held on January 8, 2011 were approved upon a motion by Moshman and second by Haller. Motion carried by voice vote.

TREASURER'S REPORT: The Treasurer's report dated February 11, 2011 was reviewed and filed for audit with the following corrections: Income total for January 8 through February 11 is \$565.00 rather than \$76,565.00, and January/February balance on hand totals on page two are for the year 2011 rather than 2010. Balance on hand as of February 11, 2011 is \$4,280.75.

SENTINEL: Articles for the AFCON *Sentinel* should be sent to Tom Black by **February 21, 2011**. The next issue of the *Sentinel* will be available on March 19, 2011.

LEGISLATIVE REPORT: Adair distributed a list of legislative bills of interest to AFCON for review.

Prior to the AFCON board meeting, Moshman reviewed Senator Council's LB192 which requires comprehensive human sexuality education in schools. He concluded that the bill does not legislate curriculum, and also that the parameters of the bill are consistent with AFCON's policy statement on Sexuality and Academic Freedom.

Haller discussed Senator Pahls' LB544, which requires that civic education in Nebraska shall include "active participation in the improvement of a citizen's community, state, country, and world and the value and practice of civil discourse between opposing interests." Senator Pahls is requesting written testimony rather than in-person testimony if possible, due to the time constraints of the legislature's education committee on the hearing date, February 14.

Parker asked that the AFCON board consider supporting LB470, which authorizes city governmental bodies to approve library personnel policies and procedures.

Adair reported the public hearing for LB582, the Student Expression Act, will be March 8. Adair will send information about the bill to Brooke so he can post it on the AFCON website. Adair distributed a list of last year's testifiers and people who had planned to testify but were not allowed to do so because the chair of the education committee ended proponent testimony at his discretion. The board reviewed the list and made preliminary plans for testifiers at this year's hearing. Adair will contact Jane Holt (journalism teacher) to see if she can testify. Lee will contact John Bender (NHSPA) to see if he can testify. Adair informed the board they can read the transcript of last year's LB898 testimony by going to the legislature's website: <http://nebraskalegislature.gov> (Last year's bill number is LB898.)

The following action was taken by the board regarding legislation:

LB192: Motion by Moshman, second by Lee, that President Wagner send a letter of support for the bill on behalf of AFCON to Senator Council, along with a copy of the AFCON Sexuality and Academic Freedom statement. Motion carried by voice vote.

LB470: Motion by Parker, second by Lee, that President Wagner send a letter of support for the bill on behalf of AFCON to Senator Karpisek.

LB544: Motion by Haller, second by McMurtry, that President Wagner send a letter of support for the bill on behalf of AFCON to Senator Pahls and to Senator Adams. The letter of support shall

incorporate language Haller distributed earlier to the AFCON board. Motion carried by voice vote.

LB582: Motion by McMurtry, second by Edler, that President Wagner testify in support of LB582 on behalf of AFCON at the legislative hearing on March 8. Motion carried by voice vote.

AFCON GOALS FOR 2011: The board discussed the need to raise awareness of the difficulties facing K-12 teachers and how AFCON may be able to serve as a resource for teachers to express their needs and their viewpoints. To that end, Adair will work with Tom Black, editor of the *Sentinel*, to place a "call for articles" in the next issue. Adair will also work with Brooke to place a similar "call for articles" on the AFCON website. Leibrandt and Parker will work together to develop a plan to distribute AFCON information to school librarians.

MEMBER ORGANIZATION REPORTS:

- The Nebraska Library Association/Nebraska Educational Media Association conference will be held in Lincoln in October.
- Nebraska Center for the Book has chosen *Local Wonders* by Ted Kooser for the 2011 One Nebraska One Book selection.
- The Nebraska Book Festival will be held on May 21.
- The University of Nebraska is considering vertical cuts, ostensibly due to budget issues.
- A number of higher education contracts were located online at the NSEA website in order to facilitate a review of those contracts with respect to references to academic freedom.

NEXT MEETING: The next meeting of the **AFCON BOARD OF DIRECTORS** will be **Saturday, March 12, 2011** at 10:00 a.m. in **Eiseley Library, Lincoln**.

Getting Over Evo-Phobia

By Clay Farris Naff

Nebraska takes pride in its world-class schools, and with good reason. Yet, when it comes to one of the most important theories in science, we flunk. A Pew Forum survey suggests that over half of Nebraskans reject the idea that we share common ancestors with other forms of life.

Why? The answer is simple: old-time religion fears evolution.

In honor of this year's Darwin Day -- the Feb. 12th

anniversary of the birth of Charles Darwin -- 131 congregations across the nation joined in celebrating Evolution Weekend 2011. Only three from Nebraska were listed as participants, and all were in the Omaha area.

It's high time we get over our evo-phobia. A new national study shows that less than a third of teachers follow the guidelines for teaching evolution. Some reject it outright, but about 60 percent soft-pedal the subject. Does this happen in Nebraska? Almost certainly.

So far as I can ascertain, three main fears drive the rejection of evolution. First, there is the fear that it will discredit religion. Second, that it will prompt atheism. Third, that the first two will doom morality. All three are misplaced beliefs, as I will try to show in this column.

One thing is for sure: rejection is not about gaps or flaws in the theory. If there were ever legitimate doubts about the science of evolution, they have been erased by the last decade of research. We now know just how closely we are related to chimpanzees (98 percent of genes in common), what changes allowed us to become so special (we swapped powerful jaws and lengthy guts for

more brain power), and how we are related to Neanderthals (they were a competing human species until about 30,000 years ago).

Meantime, physical anthropology continues to make spectacular discoveries, filling in an already rich portrait of human ancestry. The recent discovery of Ardi, the fossil remains of a hominid who lived 4.4 million years ago, revealed an ancestor who both swung in trees and walked on the ground. *Australopithecus sediba*, discovered in South Africa, shows that by a little less than 2 million years ago, the transition to a ground-dwelling creature in the genus *homo* was complete. Meantime, the astonishing discovery of hobbit-like remains on the Indonesian island of Flores appear to show that yet another human species walked the Earth until as recently as 17,000 years ago.

Lab experiments and field observation have demolished the idea that there is some sort of barrier between species. Genes can be transferred from one species to another with ease, and species evolve and glide into another all the time.

So much, in brief, for the science. What of the theological fears?

First, it bears repeating that not all believers reject evolution. From the Pope to the most humble parishioner, there are plenty of people who find faith and science compatible. But zealous opponents of evolution wage endless war against it.

Answers in Genesis founder Ken Ham puts it this way: if the Bible is wrong about a single detail -- the age of the Earth, or the origin of humankind -- "the whole message of the Gospel falls apart." This strikes me as frail faith indeed.

In the early days of Christianity, few people thought holy writ was meant to be taken literally. That's why Scriptures included multiple versions of the same event, starting with Genesis. In the early 5th century, St. Augustine warned against trying to pit interpretation of Scripture against science. Doing so, he cautioned, would only bring Scripture into ridicule.

How right he was. Which brings us to the second fear: prompting atheism. It's true that disaffiliation from religion has grown by leaps and bounds in the last decade. But I would argue that this is the fault of religion itself. To insist on rigid theologies rooted in ancient myth and superstition is to drive away people who value truth over comfort.

Science does not own truth. It gives us testable models of reality that correspond to what is probably true. One thing science makes clear is that we are likely born with a moral sense. We don't need ancient tablets (in whichever version) to be good. That's not to say religion has nothing to contribute to moral development. It's simply to reject the claim that it's Scriptural commandments or chaos.

Science leaves plenty of room for faith. But faith, in turn, must be rooted in reason and humility, lit by religious imagination, and leavened by compassion. Only then can it provide the bread of modern life.

Clay Farris Naff is cofounder of Nebraska Citizens for Science (nebscience.org) and a former member of the ACLU Nebraska Board of Directors. He blogs on science and religion for the Huffington Post. His weekly radio program "Science Odyssey" can be heard on KZUM 89.3 FM Saturdays at 8:30 a.m.

Who Needs Civics?

State Senator Ron Pahls has introduced LB544 that provides civics instruction for students in Nebraska shall include “active participation in the improvement of a citizen’s community, state, country, and world and the value and practice of civil discourse between opposing interests.” The bill will not add to the curriculum, but according to Senator Pahls will re-emphasize the importance of participatory civics education.

Civics instruction has always been valued in school systems, as evidenced by curriculum guidelines in every state that note the need for civic education. But the reality is, no state has a sustained and systematic curriculum devoted to civic education. And the result is, eighty-five percent of students lack adequate civic instruction that encourages active and meaningful participation in our democracy.

Civic instruction has also taken a back seat in recent years as increased pressure to test students in certain subjects has given other subjects short shrift.

The incredible, burdensome microscope of focus on testing has crippled the beauty of broad-based education where students can dip their toes in many different types of studies to find their passion. But recent political and social events in our country and in the world have demonstrated once again the need for comprehensive and realistic instruction in participatory civics.

Modern civic education as a recognized curriculum began in the 19th century in an effort to “Americanize” immigrants. The first efforts at civic instruction were unabashedly biased, ethnocentric, and dull, but they were sustained through the patriotic fervor that resulted from years of U.S. involvement in two world wars.

The decline of the rote method of civic instruction began during the 1960’s when civil rights advances, the loss of over 58,000 American lives in Vietnam, increased ethnic diversity and global communication evolved into a society that had moved far beyond the homogeneous beginnings of Colonial America.

Civics instruction has struggled to reinvent itself to keep up not only with changes in demographics, politics, and current events; but also with the need to develop within students the ability to inquire, reflect, and analyze events in order to reach their own conclusions rather than blindly accept the statements of others.

Civics instruction should not be incidental to the education of American children. Civic education is a central purpose of public schools in a democracy. A newfound respect for and focus upon interactive and experiential civics instruction in Nebraska schools will give young people the confidence and competence they need to protect individual human rights while strengthening cooperative interaction for the common good.

(Read Senator Pahls’ bill at: <http://nebraskalegislature.gov>. Go to “bill search” and type in “LB544.”)

CALLING ALL K-12 TEACHERS!

The *Sentinel* is starting a new series featuring articles written by Nebraska classroom teachers.

The profession of education faces unprecedented challenges and nobody knows more about those challenges than teachers in the field. AFCON hopes that by sharing teachers’ concerns and ideas, we can all work together to help each other provide the best learning environment for young people and the professionals who work with them every school day.

Do you feel pressure to “teach to the test”? How can parents help to make the classroom experience better for their children? Do your school administrators back you up when you need them? What are your major concerns about education in general or your particular field of education? What are your ideas for improvement? Have local politics interfered with your or the school’s ability to educate students? What are the good things about your school, your students, your job? What do you need most as a classroom teacher?

Please email your articles by **Friday, April 29** to Peggy Adair, matgama@tconl.com.

If you are not comfortable publishing your name in the *Sentinel* please let us know and we will arrange for a pseudonym to protect your identity.

We are excited about this opportunity to be a statewide sounding board to focus upon the needs of K-12 Nebraska teachers. Thank you in advance for your valuable professional input into this project!

The AFCON Board of Directors

The Academic Freedom Coalition of Nebraska —David Moshman

Nebraska Husker fans sing, “There is no place like Nebraska,” but I’m not sure that’s entirely true. There is, for example, Kansas. In at least one respect, however, Nebraska is indeed unique in the nation. It is the only state to have a statewide academic freedom coalition.

Of course Nebraska is not the only state with serious defenders of academic freedom. Intellectual freedom in education is defended in every state by individuals representing a variety of organizations. These organizations generally operate independently of each other, however, with an especially strong divide between those concerned with higher education and those concerned with elementary and secondary education.

In Nebraska, however, English professor Mel Krutz, an anti-censorship activist within the Nebraska Council of Teachers of English (NeCTE), decided in 1987 that Nebraska needed a coordinated response to censorship. In the academic year 1987-1988, she and others on NeCTE’s intellectual freedom committee³the state counterpart of the National Council of Teachers of English (NCTE) Standing Committee Against Censorship⁴organized a series of meetings with representatives of other Nebraska groups.

This effort resulted on February 13, 1988, in the founding of the Academic Freedom Coalition of Nebraska (AFCON). The founding organizational members of AFCON, in addition to NeCTE (now the Nebraska English Language Arts Council, NELAC), were the University of Nebraska-Lincoln chapter of the American

Association of University Professors (AAUP), the AAUP Nebraska State Conference, the Nebraska Civil Liberties Union (now ACLU Nebraska), the Nebraska High School Press Association, the Nebraska Library Association, and the Nebraska State Education Association.

Since 1988, AFCON has been run by a Board of Directors consisting primarily of a representative from each of its member organizations (there are now nearly 20). It has defended and promoted academic freedom in Nebraska by advising and assisting individuals, promoting policies that protect intellectual freedom, holding an annual conference, publishing a newsletter, developing a website, and educating anyone who will listen about the importance of intellectual freedom for faculty and students at all levels of education.

Central to AFCON’s credibility has been its single-minded commitment to academic freedom, conceived as intellectual freedom in educational and research contexts, including freedoms of belief and expression and access to information and ideas. Members of the AFCON Board hold diverse political, religious, and other views, but the Board, guided by general principles of academic freedom, readily achieves consensus on matters at hand.

Equally important is AFCON’s consistent recognition that academic freedom is crucial to teachers and students at all levels of education and that administrators and governing boards have crucial roles to play in protecting intellectual freedom in academic institutions.

AFCON’s annual academic freedom award has been presented to a variety of students, teachers, librarians, administrators, and governing boards.

At its annual meeting in November 2010, AFCON heard from keynote speaker Frank LoMonte, executive director of the Student Press Law Center, about the critical importance of journalism generally and student press in particular, and the challenges faced in defending intellectual freedom today. AFCON then presented academic freedom awards to a state senator and his key aide for promoting a bill to protect student freedom of expression and to a high school principal for supporting and defending student freedom of the press.

Did any other state have a meeting like this? Perhaps there is indeed no place like Nebraska, at least with respect to academic freedom, but AFCON would happily assist anyone anywhere who wants to make Nebraska less unique.

Every state should have an academic freedom coalition. It just takes someone to get it going. It could be you.

David Moshman is the AFCON Policy Coordinator and author of *Adolescent Rationality and Development*, 3rd edition, published in January by Psychology Press. This article originally appeared on his Huffington Post blog on December 10, 2010.

AFCON SPEAKER'S BUREAU (As of December 2007)

Peggy Adair: "Banned Books, Black Arm-bands, and School Prayer: The Evolution of Children's First Amendment Rights in America"

padair@tconl.com

Dwayne Ball: "Threats to Academic Freedom at Universities"

adball@neb.rr.com

Bob Haller: "Civics Education and the Practice of Freedom" and "How Books Can Harm You: Lessons from the Censors"

rhaller1@unl.edu

David Moshman: "Principles of Academic Freedom"

dmoshman1@unl.edu

John Bender and David Moshman: "Student Freedom of Expression/Student Rights"

jbender1@unl.edu

dmoshman1@unl.edu

Laurie Thomas Lee: "Implications of the USA Patriot Act"

llee1@unl.edu

Presentation of the Readers' Theatre production of A Tangled Web: Student Freedom of Expression.

(a cast of adults and students)

ADDRESS FOR THE AFCON WEB SITE

<http://www.nebafcon.org>

Check it out and learn Who We Are and about Our Activities; read our Constitution; learn how to Join Us; see the where and when of our Meetings; meet our Members and Officers;

REQUEST FOR NEWS FOR FUTURE ISSUES

The editor of the AFCON SENTINEL invites all AFCON individual and organizational members to send news about academic freedom issues in Nebraska or editorial comments for inclusion in this newsletter and/or announcements of organizational meetings for the UPCOMING EVENTS column.

Due date for submissions to the MONTH DAY, 2010, issue is **MONTH DAY, 2010.**

Send to Tom Black, editor, 610 West Park, West Point, NE 68788 or wpc6296@cableone.net

AFCON

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Mailing
Address
Label

ACADEMIC FREEDOM COALITION OF NEBRASKA

HELP AFCON PROMOTE ACADEMIC FREEDOM

As a member of AFCON, you can help us

- ◆ support applications of the First Amendment in academic contexts, including elementary and secondary schools, colleges, universities, and libraries.
- ◆ educate Nebraskans about the meaning and value of intellectual freedom, intellectual diversity, mutual respect, open communication, and uninhibited pursuit of knowledge, including the role of these ideals in academic contexts and in democratic self-government.
- ◆ assist students, teachers, librarians, and researchers confronted with censorship, indoctrination, or suppression of ideas.
- ◆ act as liaison among groups in Nebraska that support academic freedom.

MEMBERSHIP (To become a member, send dues, organization or individual name, address, and phone number to Cathi McMurtry, 515 N. Thomas Avenue, Oakland, NE 68045)

Organizational Membership (\$120) entitles the organization to one seat on the AFCON Board, one vote in the election of officers and at the annual meeting, eligibility for office and chairing standing committees, provides newsletter subscription for the board member to share with the organization's information director, and reduced rates to AFCON conferences for its members.

Individual Membership (\$15) provides newsletter subscription, eligibility for office and for chairing standing committees, reduced rates for AFCON conferences, and one vote at annual meetings.

Student Membership (\$5) entitles full-time students to the same privileges as provided by the Individual Membership.

**AFCON ORGANIZATIONAL MEMBERS, PLEASE DUPLICATE THIS NEWSLETTER FOR YOUR MEMBERS.
INDIVIDUAL MEMBERS, PLEASE PASS THIS NEWSLETTER TO A FRIEND AFTER YOU HAVE READ IT.
ENCOURAGE HIM OR HER TO JOIN AFCON**